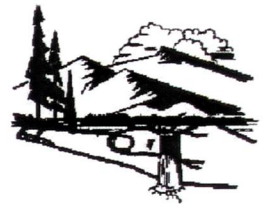




# Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's  
environment for the benefit of current and future generations.*



Mark Gordon, Governor



RECEIVED

Todd Parfitt, Director

June 2, 2020

JUN 10 2020

Mr. Carl Daly  
Acting Director, Air and Radiation Division  
U.S. EPA Region VIII  
1595 Wynkoop St.  
Denver, CO 80202

**RE: Thunder Basin Coal Company, Black Thunder Mine Data Influenced by an  
Exceptional Event: March 5, 2018**

Dear Mr. Daly,

On March 5, 2018 Thunder Basin Coal Company, Black Thunder Mine (Black Thunder) experienced an exceedance of the 24-hour PM<sub>10</sub> standard. This facility has requested that the Air Quality Division (AQD) flag the March 5, 2018 data in exceedance of the National Ambient Air Quality Standards (NAAQS) measured by the Black Thunder's 36 Site (AQS ID 56-005-0891 POC-2) PM<sub>10</sub> monitor as due to an Exceptional Event under 40 CFR Part 50.14. The AQD is requesting EPA concurrence that the event was exceptional.

The AQD has completed its review of the Exceptional Event documentation package submitted by Black Thunder. The AQD has determined that the Black Thunder Exceptional Event package demonstrates a clear causal relationship between the exceedance measured at the PM<sub>10</sub> monitor and the high winds measured at this facility on this day.

The AQD sent an initial notification cover letter and form to EPA for the March 5, 2018 exceedance on February 10, 2020. The AQD received the EPA Initial Notification Response Letter via email on April 8, 2020. In the response, EPA states they have not identified and do not anticipate these data being used in any pending EPA regulatory determination, to formulate or support regulation, guidance or in any other pending EPA decision, position or action and therefore does not plan to review these events for concurrence. With consideration of input from Black Thunder, the AQD is submitting this demonstration to EPA so that when the EPA prepares to use these data in any pending EPA regulatory determination, to formulate or support regulation, guidance or in any other pending EPA decision, position or action the demonstration will already be available in EPA's records for concurrence review.



Public notice for Black Thunder's request to flag the March 5, 2018 exceedances of the 24-hour PM<sub>10</sub> standard was published in the following Wyoming newspapers on December 17 and 18, 2018: Casper Star Tribune and Gillette News Record. The Black Thunder documentation package submitted to the AQD was made available for public comment and the public was allowed thirty (30) days to submit written comment. The documentation packet was made available on the AQD's website as well as at the AQD's Cheyenne office. At the close of business on January 16, 2019, the AQD had received no written comments from the public.

The AQD's review process includes several members from multiple Sections within the Division. In the case of this exceedance, AQD staff from the Compliance, Permitting and Monitoring Sections convened to determine if the exceedances qualified as an Exceptional Event under 40 CFR Part 50.14. Each team member brings a unique skillset and perspective to the review process, resulting in a thorough evaluation, from multiple perspectives, of the information provided by the facility.

Among the questions considered by the review team is the question of facility compliance with their air quality permit during the exceedance. This is necessitated by the definition of an Exceptional Event, which excludes, "air pollution relating to source noncompliance" from consideration under 50.14. Our review teams are aware of this requirement and offers the following statement of compliance:

Air Quality Compliance staff inspect the Black Thunder Mine annually. The Division inspected the mine in 2017 and 2018. No Compliance issues were discovered during these inspections. The following table shows a summary of the inspections conducted at these facilities in 2017 and 2018.

Facility	Inspection Dates	Compliance Status
Black Thunder Mine	07/12/2018	In Compliance
	07/27/2017	In Compliance

During each of these inspections, it was noted that air quality permits and requirements were being adhered to. Therefore, there is no reason to believe that this facility would not be in compliance with any air quality requirements at the time of this exceedance.

The AQD has flagged the Black Thunder's 36 Site monitor PM<sub>10</sub> data in exceedance of the NAAQS on March 5, 2018 in EPA's Air Quality System's (AQS) data base. The AQD is requesting EPA to exercise its discretion and concur with the flags placed on the Black Thunder 36 Site monitor, March 5, 2018 exceedance.

In 2019, Cara Keslar participated in the EPA's State Planning Electronic Collaboration System (SPeCS) project team to provide feedback on development for Exceptional Event submissions.



At this time, the AQD is awaiting EPA's full implementation of SPeCS for Exceptional Events. Until such time, the AQD will continue to submit demonstrations to EPA Region VIII via hard copy or electronic copy on a portable drive.

If you have any questions, please feel free to contact Cara Keslar at (307) 777-8684.

Sincerely,

A handwritten signature in blue ink that reads "Darla J. Potter". The signature is fluid and cursive, with the first name "Darla" being more prominent than the last name "Potter".

Darla J. Potter  
Air Quality Resource Program Manager  
Air Quality Division

[Enclosure]

CC: Richard Payton, U.S. EPA Region VIII (without enclosure)  
Kristina Hooper-Barden, DEQ Monitoring Project Manager (without enclosure)  
Tanner Shatto, DEQ District Engineer (without enclosure)  
Lecia Craft, Environmental Supervisor, Black Thunder Mine (without enclosure)

